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Attorneys for Debtors and Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF THOMAS B. RUPP IN
SUPPORT OF REORGANIZED DEBTORS'
MOTION FOR SUMMARY JUDGMENT ON
PROOF OF CLAIM NO. 108715 FILED BY
DAVID P. ADDINGTON**

Response Deadline:

January 11, 2023, 4:00 p.m. (Pacific Time)

Hearing Information If Timely Response Made:

Date: January 25, 2023

Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Appearances Only)

United States Bankruptcy Court

Courtroom 17, 16th Floor

San Francisco, CA 94102

1 I, Thomas B. Rupp, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am an attorney with Keller Benvenuti Kim LLP, co-counsel to the Reorganized Debtors
5 in the above captioned Chapter 11 Cases. I am licensed to practice law in the State of California and
6 admitted to practice before the United States District Court for the Northern District of California. I
7 submit this Declaration in support of the *Reorganized Debtors' Motion for Summary Judgment on Proof*
8 *of Claim No. 108715 Filed by David P. Addington* (the "**Motion**")¹, filed contemporaneously herewith.

9 2. If called upon to testify, I would testify competently to the facts set forth in this
10 declaration. I am authorized to submit this declaration on behalf of the Reorganized Debtors.

11 3. Pursuant to the Court's direction, I met and conferred with Aron M. Oliner, counsel for
12 David P. Addington, to discuss the scope of informal discovery the parties would agree to undertake
13 regarding Mr. Addington's claim.

14 4. The parties agreed to a mutual production of non-privileged documents related to Mr.
15 Addington's landscaping within the date range of November 4, 2016, to June 1, 2017.

16 5. With the assistance of an e-discovery vendor, the Reorganized Debtors searched the files
17 of 22 of the Utility's employees for responsive, non-privileged documents.

18 6. On November 2, 2022, I provided Mr. Oliner a link to the Reorganized Debtors' first set
19 of 544 responsive documents. Among these were non-privileged internal and external communications,
20 worksite images, work logs, and engineering reports from the relevant time period.

21 7. The same day, Mr. Oliner sent me an e-mail attaching a total of seven (7) documents: a
22 record of Mr. Addington's invalid easement termination, four attorney invoices, and two pages of
23 architect drawings.

24 8. On November 23, 2022, I provided Mr. Oliner with a link to the Reorganized Debtors'
25 second and final set of 55 responsive documents.

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27 _____
28 ¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
2 correct to the best of my knowledge, information, and belief. Executed this 6th day of December,
3 2022, in Sunnyvale, California.

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5 By: /s/ Thomas B. Rupp
6 Thomas B. Rupp
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